

Article - Transportation

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§22–409.

(a) (1) The Administrator and the Secretary of the Department of the Environment jointly shall adopt such regulations as are necessary for the safe transportation of hazardous materials.

(2) The regulations adopted under this subsection shall duplicate or be consistent with the hazardous materials transportation regulations contained in 49 C.F.R., Parts 107 through 180, and all amendments to those regulations.

(b) (1) Any person engaged in the shipping and transporting of hazardous materials, regardless of whether the person's functions are related to the preparation or transportation of the materials or whether the transporting involves interstate or intrastate movements, shall comply with the regulations adopted under this section.

(2) All persons engaged in the manufacture, fabrication, marking, maintenance, reconditioning, repair, or retesting of packaging shall comply with the regulations adopted under this section.

(c) The Administrator may exempt through regulation certain persons from the regulations adopted under this section if the Administrator determines based on the evidence presented that public and environmental safety would not be adversely affected.

(d) A person convicted of a violation of this section is subject to:

(1) For a first offense, a fine not exceeding \$1,000;

(2) For a second offense, a fine not exceeding \$2,000; and

(3) For a third or subsequent offense, a fine not exceeding \$3,000.

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